



# United States Department of the Interior

NATIONAL PARK SERVICE  
Southeast Utah Group  
Arches and Canyonlands National Parks  
Hovenweep and Natural Bridges National Monuments  
2282 S. West Resource Boulevard  
Moab, Utah 84532-3298

IN REPLY REFER TO:

N1623

February 3, 2006

SUPERINTENDENT'S DIRECTIVE 2005 N-2

To: All Employees

From: Superintendent, Southeast Utah Group

Subject: Off-highway Motor Vehicle Regulations for Backcountry Use

All vehicles operated on front country or backcountry roads within Canyonlands and Arches National Parks and Natural Bridges and Hovenweep National Monuments must have valid state registration, display a valid state license plate(s), and meet any other requirements for motor vehicles operated on highways within the State of Utah. The operator of any vehicle must have a valid driver's license.

Off-highway vehicles (OHV's), also known as ORV's (off-road vehicles) and ATC's or ATV's (all-terrain cycles or vehicles) are not permitted to operate within the boundaries of these National Park Service areas. This policy is based on the potential these machines possess for resource damage to soils, vegetation and wildlife, and for the visual and noise disturbance to other people and on requirements of executive orders 11644 and 11989 and 36 CFR 1.5 and 4.10. Executive Orders 11164 and 11989 require land managers to reasonably regulate the use of vehicles on federal lands.

The National Park Service areas have been given the mandate of preservation by Congress. Public use must be balanced against: (1) the preservation of the natural and cultural resources in perpetuity; (2) the enjoyment of the parks by people visiting the parks for the greatest common good and in keeping within the purposes for which the parks were established; (3) safety for visitors to the parks, to the operators themselves, and to other people; and (4) minimization of conflicts among the various users of park lands. Also, OHV's are often ridden as a recreation in themselves and as such are considered an inappropriate use in the parks.

This limitation on the use of OHV's within the parks is necessary for several reasons, including the maintenance of public health and safety, protection of environmental or scenic values, and protection of natural and/or cultural resources. As this limitation has been in effect since at least January 12, 1990, its continuation will not result in a significant alteration in the public use pattern of the parks. The prohibition is aimed at preserving the viability, integrity and natural character of the park ecosystem, and is intended to maximize the safety, order, and enjoyment of the greatest number of park visitors. The prohibition on ATV's within the parks is rational,

based on consideration of the relevant factors and is within the scope of the authority delegated to the agency by statute.

The decision to prohibit OHV's or ATV's was reiterated in the Canyonlands National Park Backcountry Management Plan, effective January 6, 1995. That planning process began in 1992 by inviting the public to identify what issues and topics should be addressed in the plan. A Notice of Intent to prepare the plan was printed in the *Federal Register*. Scoping questionnaires were distributed and responses analyzed. Thirty-eight issues were identified. A newsletter was prepared and sent to interested parties and six public meetings were held in Utah and Colorado in late 1992 seeking input on how to address those concerns. Over 200 responses were received by February 1993. A draft plan and environmental analysis was prepared and over 2,000 copies were distributed beginning in December 1993. Six additional public meetings and numerous presentations to groups were made. The comment period closed March 5, 1994 with 2,235 written comments received. Comments were analyzed throughout 1994 and the final plan prepared in December 1994. Among the "Major Decisions" of the plan: "Vehicles must stay on designated roads. Vehicles and drivers must meet Utah State Licensing requirements. ATV's are not permitted in the park."

Additional regulations which apply to backcountry motor vehicles:

Utah State Law Title 41, Chapter 22, UTAH CODE ANNOTATED, 1953 as amended April 1987.

41-22-10.1 (1) Currently registered off-highway vehicles may be operated on public land, streets, or highways that are posted by sign or designated by map by controlling federal, state, country or city agency, as open to off-highway vehicle use.

41-22-10-3. No person may operate an off-highway vehicle upon any street or highway, not designated as open to off-highway vehicle use, except:

- (1) When crossing a street or highway;
- (2) When loading or unloading an off-highway vehicle from a vehicle or trailer, which shall be done with due regard for safety, and at the nearest practical point of operation; or
- (3) When an emergency exists, during any period of time and at those locations when the operation of conventional motor vehicles is impractical or when the operation is directed by a peace officer or other public authority.

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